

Message Text

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PAGE 01 JOHANN 01160 090827Z
ACTION AF-10

INFO OCT-01 ISO-00 EB-08 /019 W
-----048678 090913Z /17

R 090610Z MAY 78
FM AMCONSUL JOHANNESBURG
TO USDOC WASHDC
INFO SECSTATE WASHDC 7642
AMEMBASSY PRETORIA
AMCONSUL CAPE TOWN
AMCONSUL DURBAN

UNCLAS JOHANNESBURG 1160

USDOC

E.O. 11652: N/A
TAGS: BEXP, SF
SUBJECT: FOREIGN GOVERNMENT TENDERS: AMENDMENT TO SA GOVERNMENT
STATE TENDER BOARD REGULATIONS.

1. STATE TENDER BULLETIN NO 732 DATED MAY 5, 1978 HAS,
AMONGST OTHERS, PUBLISHED THE FOLLOWING INSERTION TO
THE CONDITIONS AND PROCEDURES IN REGARD TO TENDER, CONTRACT
AND ORDER AS STIPULATED BY THE SA STATE TENDER BOARD AND
APPLICABLE TO ALL SAG DEPARTMENTS:

QUOTE EXPORT LICENSE
40 (2) WHEN ORDERS ARE PLACED FOR SUPPLIES IN RESPECT OF
WHICH AN EXPORT LICENSE IS REQUIRED AND THE GOVERNMENT OF
THE COUNTRY FROM WHICH THE SUPPLIES ARE TO BE EXPORTED REFUSES OR
FAILS TO GRANT SUCH A LICENSE WITHIN THREE (3) MONTHS FROM THE
PLACING OF THE ORDER, THE ORDER IS CONSIDERED AS CANCELLED
AND NO LIABILITY WILL BE ACCEPTED FOR ANY LOSS OR EXPENSE,
IRRESPECTIVE OF THE NATURE THEREOF, INCLUDING LOSS OR EXPENDITURE
SUFFERED OR INCURRED BY THE CONTRACTOR OR ANY OTHER PERSON
IN RESPECT OF THE MANUFACTURE, SUPPLY, TRANSPORT AND/OR
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DELIVERY OF SUCH SUPPLIES UNQUOTE

2. THIS AMENDMENT IS EFFECTIVE JUNE 1, 1978, AND ACCORDING
TO INFORMED SOURCES IS AIMED SPECIFICALLY AT CIRCUMVENTING
DELAYS AND EXPENDITURE CAUSED BY THE
APPLICATION OF THE EXTENDED EMBARGO IMPOSED ON SA POLICE
AND MILITARY ENTITIES BY THE USG IN REVISED PARTS 371 AND

373 OF THE EXPORT ADMINISTRATION REGULATIONS.

3. THESE SOURCES FURTHER OPINE THAT THIS IS NOT AN
INDICATION OF ANTI-US LEANINGS BY THE STATE TENDER BOARD,
BUT RATHER COGNISENCE OF DELAYS IN THE ISSUANCE OF
EXPORT LICENSES TO US FIRMS EXPORTING TO SOUTH AFRICA.
AS SAG DEPARTMENTS ONLY CONTRACT WITH SOUTH AFRICAN
AGENTS OF FOREIGN FIRMS ON TENDERS, A POSSIBLE REPERCUSSION
OF THIS AMENDMENT MIGHT BE THAT LOCAL AGENTS, WARY OF
POSSIBLE DELAYS IN THE ISSUANCE OF EXPORT LICENSES, WILL
BYPASS THE US MARKET FOR FEAR OF INCURRING LOSS
OF EXPENDITURE THROUGH CANCELLATION OF THE ORDER.
JOHNSON

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TAGS: BEXP, SF
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